

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO.</b> _____
<b>v.</b>	<b>:</b>	<b>DATE FILED:</b> _____
<b>FRANCISCO CAPELLAN-ALVAREZ</b>	<b>:</b>	<b>VIOLATIONS:</b>
<b>a/k/a “Carlos Peralta”</b>		<b>8 U.S.C. §§ 1326 (a) and (b)(1) (illegal</b>
<b>a/k/a “Emiliano Gusman”</b>	<b>:</b>	<b>reentry after removal - 1 Count)</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about February 8, 2005, in Philadelphia, in the Eastern District of  
Pennsylvania, defendant

**FRANCISCO CAPELLAN-ALVAREZ,**  
    **a/k/a “CARLOS PERALTA,”**  
    **a/k/a “EMILIANO GUSMAN,”**

an alien and a subject of the Dominican Republic, who had previously been deported from the United States on or about August 13, 1998, was found in the United States, having knowingly and unlawfully reentered the United States without first applying to the Attorney General of the United States or his successor, the Secretary for Homeland Security (Title 6, United States Code, Sections 202(3), (4), and 557), for permission to reapply for admission, and without receiving in

response the express consent of the Attorney General or his successor to reapply for admission.

In violation of Title 8, United States Code, Section 1326(a) and (b)(1).

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

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**PATRICK L. MEEHAN  
UNITED STATES ATTORNEY**